

Chairperson Scott Hickle
Vice-Chairperson Pete Bienski
Parliamentarian Nancy Hardeman



Commissioners
Leo Gonzalez
Bobby Gutierrez
Kyle Incardona
Kevin Krolczyk
Prentiss Madison
Robert Swearingen

MINUTES

**BRYAN PLANNING AND ZONING COMMISSION
REGULAR MEETING
THURSDAY, APRIL 16, 2015 – 6:00 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

Disclaimer: *The meeting minutes herein are a summarization of meeting procedures, not a verbatim transcription*

1. CALL TO ORDER.

Chairperson Hickle called the meeting to order at 6:02 p.m.

Commissioners	Present	2015 Regular Meetings Held	2015 Regular Meetings Attended	Regular Meetings Held During Last 6 Months	Regular Meetings Attended During Last 6 Months
Pete Bienski	Y	5	5	7	7
Leo Gonzalez	N	5	3	7	5
Bobby Gutierrez	Y	5	4	7	7
Nancy Hardeman	Y	5	5	7	7
Scott Hickle	Y	5	5	7	7
Kyle Incardona*	N	5	3	7	3
Kevin Krolczyk	Y	5	5	7	7
Prentiss Madison	Y	5	3	7	4
Robert Swearingen	Y	5	5	7	7

* appointed to the Commission effective 1/1/2015

Staff Members Present: Mr. Martin Zimmermann, Planning Manager; Ms. Lauren Crawford, First Assistant City Attorney; Mr. Scott Perkes, Planning Intern; Mr. Randy Haynes, Senior Planner; and Mr. Matthew Hilgemeier, Staff Planner.

2. PLEDGE OF ALLEGIANCE TO THE U.S. FLAG.

Chairperson Hickle led the Pledge.

3. HEAR CITIZENS.

No citizens came forward.

4. RECOGNITION OF AFFIDAVITS FILED IN RESPONSE TO STATE LAW ON DISCLOSURE OF LOCAL OFFICIAL'S CONFLICT OF INTEREST.

No affidavits were filed.

5. CONSENT AGENDA.

a. Approval of minutes from the workshop and regular meetings on March 5, 2015.

b. Final Plat FP15-01: Briar Meadows Creek Subdivision – Phase 5

Proposed Final Plat of Briar Meadows Creek Subdivision – Phase 5, being 17.27 acres of land out of John Austin League, A-2 and located southeast from the current termini of Red River Drive and Peterson Way, generally south of Broadmoor Drive in Bryan, Brazos County, Texas. (R. Haynes)

c. Final Plat FP15-03: Porter's Meadow Subdivision – Phase 1

Proposed Final Plat of Porter's Meadow Subdivision – Phase 1, being 6.732 acres of land of the Reserve Tract of the Marvin M. Porter's Addition and adjoining the southwest side of the 2700 block of Old Hearne Road between Willhelm and Orlan Drives in Bryan, Brazos County, Texas. (R. Haynes)

d. Final Plat FP15-04: Prostar Lane Subdivision

Proposed Final Plat of Prostar Lane Subdivision, being 5.5 acres of land out of Stephen F. Austin League No. 9, A-62 and located at the northeast corner of N. Harvey Mitchell Parkway (F.M. 2818) and Beck Street, in Bryan, Brazos County, Texas. (M. Hilgemeier)

e. Final Plat FP15-05: Crenshaw Addition

Proposed Final Plat of Crenshaw Addition, being 3.3 acres of land out of Stephen F. Austin League No. 10, A-63 and located at 2111 Nuches Lane, approximately 0.3 miles southeast of the intersection of Tabor Road and Nuches Lane and 150 feet northwest from the intersection of Nuches and Autry Lanes in Bryan, Brazos County, Texas. (R. Haynes)

Chairperson Hickle informed the Commission that Commissioner Swearingen would be abstaining from discussion and voting on agenda item 5.e.

Commissioner Gutierrez moved to approve the Consent Agenda with the exception of item 5.e. Commissioner Bienski seconded the motion, and the motion passed unanimously.

Commissioner Gutierrez moved to approve consent agenda item 5.e. Commissioner Bienski seconded the motion and the motion passed by a vote of 6 in favor and 0 in opposition with Commissioner Swearingen abstaining from deliberation and voting on the item.

6. REQUESTS FOR APPROVAL OF CONDITIONAL USE PERMITS – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; appeals may be directed to City Council).

a. Conditional Use Permit CU15-02: Foresight Communications

A request for approval of a Conditional Use Permit, to allow the installation of an intermediate wireless telecommunications facility (up to 110 feet tall) in a Planned Development (PD) District on property at 4221 Boonville Road, adjoining the north side of Boonville Road between Copperfield Drive and Miramont Boulevard, being Lot 1 in Block 1 of the Bethel Evangelical Lutheran Church Subdivision in Bryan, Brazos County, Texas. (M. Hilgemeier)

Mr. Hilgemeier presented the staff report (on file in the Development Service Department). Staff recommends approval of the request.

In response to questions, Mr. Hilgemeier responded:

- The roof of the adjacent church is 68 feet tall and the cross on top of the church's roof reaches 124 feet from ground level.
- Aside from the one letter of opposition received prior to this meeting, no further complaints from neighboring property owners have been received.
- The proposed location of the communication tower was decided due to spacing requirements from existing communication towers.

The public hearing was opened.

Mike Harris, 1811 Harris Drive, College Station, Texas, Director of Real Estate Development for Adam Development Properties spoke in opposition to the proposed communication tower.

Mr. Harris stated that

- it would be harder to market and sell already proposed residential development to the east and north of the proposed communication tower; and
- the tower will not be keeping with the look and feel of the existing and proposed residential developments.

Eddie Sansom, applicant and representative for Verizon Wireless, spoke in favor of the proposed communication tower and made himself available for questions.

In response to questions, Mr. Sansom responded:

- The need for a new tower is due to an over capacity issue in the area, not a lack of service.
- Stealth towers cut down on the signal distance that the proposed tower needs to cover the area.

Greg Gow, Montgomery, Texas, Contractor for Foresight Communications, spoke in favor of the proposed communication tower and made himself available for questions.

In response to questions, Mr. Gow responded:

- Due to larger demand in residential areas for cell phone service, capacity limits are being reached and additional towers are needed to satisfy demand.
- Towers do not reach as far for data coverage, therefore towers are not able to be spaced too far apart.
- The proposed tower will provide approximately 5 to 6 miles of voice coverage and a shorter distance for data coverage.
- Stealth tower use would cut down coverage by at least 50%. This would require more stealth towers to satisfy demand.
- Boosting the power of surrounding towers would not solve the capacity problem. Coverage is available, but capacity is not.

The public hearing was closed.

Commissioner Hardeman moved to deny Conditional Use Permit CU15-02. Commissioner Gutierrez seconded the motion.

Commissioners discussed

- adverse impacts to the surrounding residential neighborhoods; and
- the need to explore alternative options to solve the capacity demand.

The motion passed by a vote of 6 in favor and 1 in opposition with Commissioner Madison casting the vote in opposition.

7. REQUESTS FOR APPROVAL OF ZONING CHANGES – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission makes recommendation; City Council has final approval).

a. Rezoning RZ15-04: Morgan Lane, LP

A request to change the zoning classification from Agricultural – Open District (A-O) to Commercial District (C-3) on 5.5 acres of currently vacant land out of Stephen F. Austin League No. 9, A-62 and located at the northeast corner of N. Harvey Mitchell Parkway (F.M. 2818) and Beck Street, in Bryan, Brazos County, Texas. (M. Hilgemeier)

Mr. Hilgemeier presented the staff report (on file in the Development Service Department). Staff recommends denial of the request.

The public hearing was opened.

No one came forward.

The public hearing was closed.

Commissioner Bienski moved to recommend approval of RZ15-04 to the Bryan City Council, and to adopt the written staff report and analysis, as the report, findings and evaluation of this Commission. Commissioner Madison seconded the motion.

Commissioners discussed

- the rezoning is appropriate in this situation; and

- this area of town has developed nicely and the Commission pleased to see commercial development on this side of town.

The motion passed unanimously.

8. REQUESTS FOR APPROVAL OF VARIANCE TO STANDARDS OF ARTICLE VI (ACCESS AND OFF-STREET PARKING) OF THE LAND AND SITE DEVELOPMENT ORDINANCE (BRYAN CODE OF ORDINANCES CHAPTER 62) – A PUBLIC HEARING WILL BE HELD FOR EACH ITEM (Commission has final approval; applicants may direct appeals to City Council).

a. Planning Variance PV15-02: Billy Joe Holyfield

A request for approval of a 10-foot variance from the maximum 25-foot residential driveway connection width allowed for lots in single-family residential use, to legitimize previous construction of a 35-foot wide driveway connection on property at the northeast corner of Thornberry Drive and Archer Circle, currently addressed as 3000 Archer Circle, being Lot 41 in Block 3 of Austin's Colony Subdivision – Phase 13 in Bryan, Brazos County, Texas. (R. Haynes)

Mr. Haynes presented the staff report (on file in the Development Service Department). Staff recommends denial of the request.

In response to questions, Mr. Haynes responded:

- The applicant did not apply for a permit for the driveway modifications.
- A semi-circle drive would not be a possibility in this situation due to the lot being a corner lot.

The public hearing was opened.

Mr. Billy Joe Holyfield, 3000 Archer Circle, Bryan, Texas, applicant, came forward and spoke in favor of the request.

Mr. Holyfield stated that

- he was unaware of the ordinance limiting driveway widths to 25 feet; and
- his homebuilder did not inform him of the ordinance and proceeded to install the extra 10 feet of driveway; and
- the additional driveway width allows for both him and his wife easier access to their 3-car garage.

Commissioner Gutierrez moved to deny Planning Variance PV15-02, and to adopt the written staff report and analysis as the findings of this Commission and the facts upon which those findings are based. Commissioner Bienski seconded the motion.

Commissioners discussed:

- the addition of the 10 feet of driveway width does not keep with the neighborhood look and feel; and
- the need to comply with the ordinance to ensure future conformity.

The motion passed by a vote of 4 in favor and 3 in opposition with Commissioners Madison, Swearingen, and Hardeman casting votes in opposition.

9. ADJOURN.

Without objection, Commissioner Hickle adjourned the meeting at 7:01 p.m.

These minutes shall serve as the official findings of the City of Bryan Planning and Zoning Commission, as approved on this the **7th** day of **May, 2015**.

A. S. Hickle, Chairperson
Planning and Zoning Commission
City of Bryan, Texas

Martin Zimmermann, AICP
Planning Manager and Secretary to the
Planning and Zoning Commission